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Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction
New York, 28 April-2 May 2008

Provisional agenda

1. Opening of the meeting.
2. Adoption of the agenda.
3. Organization of work.
4. General remarks.
5. Consideration of issues identified in General Assembly resolution 61/222, paragraph 91:
   (a) The environmental impacts of anthropogenic activities on marine biological diversity beyond areas of national jurisdiction;
   (b) Coordination and cooperation among States as well as relevant intergovernmental organizations and bodies for the conservation and management of marine biological diversity beyond areas of national jurisdiction;
   (c) The role of area-based management tools;
   (d) Genetic resources beyond areas of national jurisdiction;[1]
   (e) Whether there is a governance or regulatory gap, and if so, how it should be addressed.
6. Consideration of the outcomes of the meeting.
7. Other matters.
8. Closure of the meeting.

[1] See also paragraphs 132 and 133 of General Assembly resolution 62/215.

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New York, 28 April-2 May 2008

Draft format and draft annotated provisional agenda and organization of work*

Pursuant to General Assembly resolutions 60/30 and 62/215, two Co-Chairpersons were appointed by the President of the General Assembly, in consultation with Member States and taking into account the need for representation from developed and developing countries, to coordinate the meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. The two Co-Chairpersons elaborated a format for the discussions in the Working Group that best facilitates its work, in accordance with the rules of procedure and practices of the General Assembly (see annex I).

* The present document was submitted after the deadline owing to the need for consultations by the Co-Chairpersons with Member States.

Annex I

Draft format for the meeting of the Ad Hoc Open-ended Informal Working Group

Methods of work

1. The meeting of the Working Group will be conducted in plenary sessions, which will be open to participation by all those listed in paragraph 79 of General Assembly resolution 60/30 and, by reference, in paragraph 105 of resolution 62/215. Further, in conformity with those paragraphs, the meeting may be conducted in closed sessions, as appropriate, in accordance with the relevant rules of procedure applicable to the meeting of the Working Group. Open-ended informal working sessions may also be convened, but not in parallel with plenary sessions.

Agenda

2. The two Co-Chairpersons will propose to the meeting of the Working Group a provisional agenda for the meeting. The meeting will consider and adopt its agenda accordingly. To aid delegations in preparing for the meeting of the Working Group, the two Co-Chairpersons intend to circulate a draft annotated provisional agenda and organization of work in advance of the meeting (see annex II).

Outcomes of the meeting of the Working Group

3. The outcomes of the meeting will consist of a joint statement of the Co-Chairpersons summarizing key issues, ideas and proposals raised during the meeting. The joint statement of the Co-Chairpersons will be made available to the General Assembly at its sixty-third session, in accordance with paragraph 107 of resolution 62/215, by way of transmittal to the President of the General Assembly. An advance, unedited version of the joint statement, in English only, will be presented to the meeting of the Working Group. Member States will have the opportunity to consider and comment on the joint statement.

Annex II

Draft annotated provisional agenda and organization of work for the meeting of the Ad Hoc Open-ended Informal Working Group

Monday, 28 April 2008

10 a.m.-1 p.m.

Item 1. Opening of the meeting

1. The meeting of the Working Group will be opened by the Secretary-General of the United Nations or his representative.

2. The Co-Chairpersons will make opening remarks.

Item 2. Adoption of the agenda

3. The Working Group will be invited to consider and, as appropriate, to adopt the agenda of the meeting, as contained in document A/AC.276/L.1.

Item 3. Organization of work

4. The Working Group will be invited to consider the organization of work for the meeting, as contained in the present document.

5. The schedule of agenda items is indicative: agenda items may be brought forward or advanced, depending on the progress made in the discussions.

Item 4. General remarks

6. The Co-Chairpersons will invite selected experts to make scientific presentations on issues relevant to the agenda of the Working Group.

7. Delegations will be invited to deliver remarks of a general nature on the issues for consideration by the meeting of the Working Group, as identified in General Assembly resolutions 59/24 (para. 73), 61/222 (para. 91) and 62/215 (paras. 132-133). Owing to time constraints, and bearing in mind the opportunity for delegations to make more detailed comments under subsequent agenda items, delegations should limit their general remarks **to five minutes**, and make them available in writing.

3-6 p.m.

Item 5. Consideration of issues identified in General Assembly resolution 61/222, paragraph 91

8. Delegations will be invited to comment on the specific issues identified in General Assembly resolution 61/222, paragraph 91.

9. Under each item listed below, indicative areas for consideration by the Working Group have been included. These are indicative areas only, which take into account the information provided in the report of the Secretary-General on oceans and the law of the sea (A/62/66/Add.2). The items listed should not be considered as

exhaustive and are intended only to provide a framework for discussions. Paragraphs 132 and 133 of General Assembly resolution 62/215 have also been reflected.

Item 5 (a) The environmental impacts of anthropogenic activities on marine biological diversity beyond areas of national jurisdiction

10. It is proposed that delegations consider, among other matters, the following:

(i) Environmental impacts arising from traditional uses of the oceans, such as fishing, navigation, mineral exploration and exploitation and scientific research;

(ii) Environmental impacts arising from new uses of the oceans, such as carbon sequestration and ocean fertilization;

(iii) Anthropogenic climate change;

(iv) Ways to further address anthropogenic impacts: e.g., status of knowledge about those impacts and their cumulative effects and actions needed to address them, as well as mechanisms for assessing impacts on marine biological diversity beyond areas of national jurisdiction.

Tuesday, 29 April 2008

10 a.m.-1 p.m.

Item 5 (b) Coordination and cooperation among States as well as relevant intergovernmental organizations and bodies for the conservation and management of marine biological diversity beyond areas of national jurisdiction

11. It is proposed that delegations consider, among other matters, the following:

(i) Cooperation and coordination among States;

(ii) Cooperation and coordination among intergovernmental organizations and bodies;

(iii) Cooperation and coordination among States and intergovernmental organizations;

(iv) Areas where cooperation and coordination could be strengthened.

3-6 p.m.

Item 5 (c) The role of area-based management tools

12. It is proposed that delegations consider, among other matters, the following:

(i) Available area-based management tools and regulatory frameworks;

(ii) Extent of use of area-based management tools in areas beyond national jurisdiction;

(iii) Considerations in the implementation of area-based management tools beyond areas of national jurisdiction (identification of areas; development of management plans; compliance and enforcement; research, monitoring and assessment; etc.).

Wednesday, 30 April 2008

10 a.m.-1 p.m.

Item 5 (d) Genetic resources beyond areas of national jurisdiction

13. Taking into account the information with regard to genetic resources beyond areas of national jurisdiction provided in the report of the Secretary-General on oceans and the law of the sea (A/62/66/Add.2, paras. 187-248), it is proposed that delegations consider issues of a legal nature, as well as scientific, technological, economic and socio-economic, and environmental issues.

14. Pursuant to paragraph 132 of resolution 62/215, it is proposed that delegations consider the issue of marine genetic resources taking into consideration the possible elements suggested by the Co-Chairpersons of the eighth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which focused on the topic "Marine genetic resources" (see A/62/169, annex).

15. In addition, pursuant to paragraph 133 of resolution 62/215, delegations are invited to consider the relevant legal regime on marine genetic resources in areas beyond national jurisdiction in accordance with the 1982 United Nations Convention on the Law of the Sea, with a view to making further progress on this issue.

3-6 p.m.

Item 5 (d) Genetic resources beyond areas of national jurisdiction (continued)

Thursday, 1 May 2008

10 a.m.-1 p.m.

Item 5 (e) Whether there is a governance or regulatory gap, and if so, how it should be addressed

16. It is proposed that delegations consider, among other matters, the following:

(i) Ways to improve the sectoral and integrated implementation of existing regulatory frameworks and management tools;

(ii) Possible governance gaps;

(iii) Possible regulatory gaps;

(iv) Ways to address possible regulatory and governance gaps.

3-6 p.m.

Item 5 (e) Whether there is a governance or regulatory gap, and if so, how it should be addressed (continued)

Item 6. Other matters

17. The Working Group will consider any other matters that delegations may wish to raise.

Friday, 2 May 2008

10 a.m.-1 p.m.

Item 7. Consideration of the outcomes of the meeting

18. **Delegations will be provided with an opportunity to comment on the draft joint statement of the Co-Chairpersons summarizing key issues, ideas and proposals raised during the meeting.**

3-6 p.m.

Item 7. Consideration of the outcomes of the meeting (continued)

Item 8. Closure of the meeting